

**DURHAM, NORTH CAROLINA  
MONDAY, DECEMBER 18, 2000  
7:00 P.M.**

The Durham City Council met in regular session on the above date and time in the Council Chambers at City Hall with the following members present: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Absent: None.

Also present: Assistant City Manager Gregory A. Bethea, City Attorney Henry Blinder, City Clerk D. Ann Gray and Deputy City Clerk Linda Bratcher.

Mayor Tennyson called the meeting to order and at that time the following action was taken:

**SUBJECT: RESOLUTION HONORING P. LAMONT EWELL**

**MOTION** by Council Member Larson seconded by Mayor Pro Tempore Clement to adopt a "Resolution Honoring P. Lamont Ewell" was approved at 7:02 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**Resolution #8718**

Mayor Pro Tempore Clement presented Faye Tyler with the "Employee of the Year" Award For Outstanding Service to the City of Durham.

Faye Tyler expressed her thanks for the recognition.

Mayor Tennyson acknowledged Dr. Clark Cahow for his donation to the Police Department K-9 Unit.

Dr. Clark Cahow thanked the K-9 Unit for its service to the City.

Mayor Tennyson read a "Resolution Honoring P. Lamont Ewell" and members of the City Council made remarks relative to his service to the City as City Manager.

There were no priority items from the City Manager, City Attorney or City Clerk.

Mayor Tennyson noted revisions to the Consent Agenda made at the Committee-of-the-Whole Meeting. Mayor Tennyson asked if any citizen(s) or council member(s) wanted to pull any item(s) from the Consent Agenda for discussion later in the meeting. [NO ITEMS WERE PULLED FROM THE CONSENT AGENDA].

Relative to Consent Item #5 [AGREEMENT FOR WEST CLUB BOULEVARD TRAFFIC CALMING STUDY], Council Member Hill stated that he would be voting no on this item.

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**MOTION** by Council Member Larson seconded by Council Member Jacobs to approve the Consent Agenda as amended was approved at 7:47 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**[CONSENT AGENDA]**

**SUBJECT: SITE PLAN APPROVAL - ALEXAN PLACE**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to approve a site plan for Alexan Place, submitted by Kimley-Horn and Associates, Inc. on behalf of Trammell Crow Residential, consisting of a 280 unit multifamily development on an 18.84 acre tract, zoned RM-20, RM-12, and NC, and located east of Lyckan Parkway, north of Larchmont Road, west of Martin Luther King, Jr. Parkway and north of University Drive (Tax Map 465-01-14-27), (PIN #0800-02-95-4461, 1951, 3932, 4922, 5922, 6922, 7932, 8922, 9923, and #0810-01-05-0994, 2936, 3923, 4857, 5870) was approved at 7:47 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**SUBJECT: PROPOSED ZONING ORDINANCE AMENDMENTS TO CLARIFY THE TREATMENT OF NONCONFORMITIES**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to review Zoning Ordinance concepts which would improve the clarity of the Ordinance and the intent of the City Council at the time of the original adoption of the Ordinance; and

To refer the matter to the Joint City-County Planning Committee for consideration was approved at 7:47 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**SUBJECT: DRAFT FISCAL YEARS 2002-2008 TRANSPORTATION IMPROVEMENT PROGRAM (TIP) STATUS REPORT**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to receive a report from the Administration concerning the Draft 2002-2008 TIP and to adopt a "Resolution Supporting the Transportation Projects Contained in the FY 2002-2008 Transportation Improvement Program (TIP)" was approved at 7:47 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and

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Wagstaff. Noes: None. Absent: None.

**Resolution #8719**

**SUBJECT: AGREEMENTS FOR TRANSPORTATION ENGINEERING AND PLANNING SERVICES - KIMLEY-HORN AND ASSOCIATES, INC. - KUBILINS TRANSPORTATION GROUP, INC. - MARTIN/ALEXIOU/BRYSON, PLLC - PARSONS BRINCKERHOFF QUADE & DOUGLAS, INC.**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to execute Master Agreements for Transportation Engineering and Planning Services with the following firms:

- a. Kimley-Horn and Associates, Inc.
- b. Kubilins Transportation Group, Inc.
- c. Martin/Alexiou/Bryson, PLLC
- d. Parsons Brinckerhoff Quade & Douglas, Inc.

To authorize the City Manager to make changes to these Master Agreements before execution provided the changes do not increase the dollar amount of the Agreements or decrease the services to be provided to the City and the changes are consistent with the general intent of the Master Agreements approved by Council; and

To adopt a resolution authorizing the City Manager to execute Supplemental Agreements and amendments to such Supplemental Agreements with the above named firms for specific project assignments in accordance with the Master Agreements for Transportation Engineering and Planning Services, provided each project does not exceed the limits set forth in the City Charter for contracts that can be approved by the City Manager was approved at 7:47 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**Resolution #8720**

**SUBJECT: AGREEMENT FOR WEST CLUB BOULEVARD TRAFFIC CALMING STUDY - MARTIN/ALEXIOU/BRYSON, PLLC**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to execute an Agreement with Martin/Alexiou/Bryson, PLLC for the West Club Boulevard Traffic Calming Study; and

To authorize the City Manager to make changes to this Agreement before execution provided the changes do not increase the dollar amount of the Agreement or decrease the services to be provided to the City and the changes are consistent with the general intent of the Agreement approved by Council was approved at 7:47 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore

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Clement and Council Members Blyth, Burnette, Cheek, Edwards, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: Council Member Hill. Absent: None.

**SUBJECT: WATER AND SEWER EXTENSION AGREEMENT WITH ALAN AND BARBARA CLEVER - 3116 MANCHESTER DRIVE**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to enter into a Water and Sewer Extension Agreement with Alan and Barbara Clever for the extension of City water and sewer service to a single family lot at 3116 Manchester Drive was approved at 7:47 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**SUBJECT: CONTRACT ST-209 - BROAD STREET/GUESS ROAD/HILLSBOROUGH ROAD SIDEWALK, STREET CLOSING AND TRAFFIC CIRCLES - WHITE OAK CONSTRUCTION CORPORATION**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to execute a contract with White Oak Construction Corporation in the amount of \$144,369.00 for the Broad Street/Guess Road/Hillsborough Road Sidewalk, Street Closing and Traffic Circles; and

To authorize the expenditure of up to \$129,000 from the New Sidewalk Construction Account and up to \$55,000.00 from the Traffic Calming Account was approved at 7:47 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**SUBJECT: AMENDMENTS TO CONTRACTS WITH NEW SYNERGY ARCHITECTS, E.I. CONSTRUCTION SERVICES, AND PENDERGRAPH ELECTRIC FOR THE CITY HALL BASEMENT RENOVATION**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to execute contract amendments to increase the amount to be paid to New Synergy Architects by \$42,500, E.I. Construction Services by \$351,420, and Pendergraph Electric by \$35,000 was approved at 7:47 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**SUBJECT: DURHAM HISTORIC PRESERVATION COMMISSION - MAYOR'S NOMINEE FOR RE-APPOINTMENT**

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**MOTION** by Council Member Larson seconded by Council Member Jacobs to approve the Mayor's nomination of **Margaret Fluke** for re-appointment to the Durham Historic Preservation Commission for a term to expire September 1, 2001 was approved at 7:47 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**SUBJECT: FOUR-WAY STOP SIGNS - MAIN STREET AT BRIGGS AVENUE**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to adopt an ordinance to repeal Ordinance #1195, adopted July 16, 1962, which authorized the installation of stop signs on Main Street at Briggs Avenue, northeast and southwest corners; and

To adopt an ordinance authorizing the installation of four-way stop signs on Main Street at Briggs Avenue, northwest, northeast, southwest and southeast corners was approved at 7:47 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**Ordinance #12135**

**Ordinance #12136**

**SUBJECT: RESOLUTION IN SUPPORT OF LOCATING THE PERFORMING ARTS CENTER IN THE CITY OF DURHAM**

To adopt a resolution in support of locating the Performing Arts Center in the City of Durham.

**This item was removed from the agenda. Council adopted resolution in support of locating the Performing Arts Center in the City of Durham at its Special Meeting on December 14, 2000.**

**SUBJECT: BID REPORT - OCTOBER 2000**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to approve and record in the minutes the following bids and items displayed which were acted upon by the City Manager during the month of October 2000 was approved at 7:47 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**CITY OF DURHAM NORTH CAROLINA**

**December 18, 2000**

November 27, 2000

MEMO TO: P. Lamont Ewell  
City Manager

THROUGH: John G. Pedersen, Jr.  
Assistant City Manager

THROUGH: Navdeep S. Gill  
Finance Director

THROUGH: Kenneth C. Pennoyer  
Assistant Finance Director

FROM: Joseph W. Clark  
Purchasing Manager

SUBJECT: Bid Report

To approve and record in the minutes bids which were acted upon by the City Manager during the month of **October 2000**.

Apparatus, Supplies, Materials, Equipment, Construction, and Repairwork:

**1. Bid: Estimated A/R for Sodium Chloride (Snow Salt - 500 tons)**

Purpose of Bid: To provide Public Works/Street Maintenance with their annual requirements for snow salt.

Comments:

Opened:	October 2, 2000	
Bidders:	Morton Salt International	*\$24,000.00
	Chicago, IL	
	International Salt	\$24,330.00
	Clarks Summitt, PA	
	Cargill, Inc.	\$25,325.00
	North Olmstead, OH	
	Prillaman Chemical	\$55,500.00
	Suffolk, VA	

\*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

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WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	2,354		# Black Males	183	7.77%
Total # Females	361	15.34%	# White Males	1,691	71.83%
Total # Males	1,993	84.66%	# Other Males	119	5.05%
			# Black Females	42	1.78%
			# White Females	298	12.65%
			# Other Females	21	.89%

The M/WBE Data Base was used in the solicitation of bids for this item.

**2. Bid: Contract Extension - Estimated Annual Requirements for Ready Mixed Concrete and Related Products**

Purpose of Bid: To provide various City divisions with concrete and related products.

Comments:

Opened: August 24, 1999

Bidders: Chandler Concrete Co., Inc.                      \*\$38,345.00  
Burlington, NC

\*Awarded based on: \_\_\_\_\_ Low Bid    ☒ Other (See Comments)

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Chandler Concrete of Burlington, NC to determine compliance with the Minority and Women Business Enterprises Ordinance.

There were no M/WBE firms available to provide this product.

The workforce statistics for Chandler Concrete Company, Inc. are as follows:

Corporate

	1999			2000	
Total Workforce	291		Total Workforce	327	
Total Females	21	7%	Total Females	22	7%
Total Males	270	93%	Total Males	305	93%
Black Males	145	50%	Black Males	145	44%
White Males	125	43%	White Males	160	49%
Other Males	0	0%	Other Males	0	0%
Black Females	0	0%	Black Females	0	0%
White Females	21	7%	White Females	22	7%
Other Females	0	0%	Other Females	0	0%

Location Performing on this Contract

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	1999			2000	
Total Workforce	30		Total Workforce	26	
Total Females	0	0%	Total Females	0	0%
Total Males	30	100%	Total Males	26	100%
Black Males	17	57%	Black Males	16	62%
White Males	13	43%	White Males	10	38%
Other Males	0	0%	Other Males	0	0%
Black Females	0	0%	Black Females	0	0%
White Females	0	0%	White Females	0	0%
Other Females	0	0%	Other Females	0	0%

Performance Bond: \_\_\_\_\_ Waived \_\_\_\_\_ Not Waived ☒ Not Required

**3. Bid: Emergency Repair of Boiler at Rock Quarry Pool**

Purpose of Bid: To repair boiler breakdown at the Rock Quarry Pool.

Comments:

Opened: October 6, 2000

Bidders:	Mendenhall Mechanical Services	*\$11,300.00
	Durham, NC	
	Comfort Engineers	\$12,200.00
	Durham, NC	
	Carolina Air Conditioners	\$15,489.00
	Durham, NC	

\*Awarded based on: ☒ Low Bid \_\_\_\_\_ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	5		# Black Males	0	0%
Total # Females	1	20%	# White Males	4	80%
Total # Males	4	80%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	1	20%
			# Other Females	0	0%

Performance Bond: \_\_\_\_\_ Waived \_\_\_\_\_ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**4. Bid: Interior Painting at the Centre Parking Garage**



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Purpose of Bid:

Comments: VR Ward & Associates withdrew bid due to a pricing error. The next low bid received from Richards Quality Painting did not complete a site visit to discuss paint specifications and interior areas to be painted; therefore this bid is considered non-responsive. The Property and Facilities Management Department recommends contracting with Carrington Painting, as the lowest responsive bidder.

Opened: September 19, 2000

Bidders: VR Ward & Associates	\$ 23,700.00
Durham, NC	non-responsive
Richards Quality Painting	\$ 43,700.00
Durham, NC	non-responsive
Carrington Painting	*\$ 57,790.00
Durham, NC	
Browns Painting Company	\$ 59,800.00
Durham, NC	
Boomer Painting Company	\$ 66,375.00
Raleigh, NC	
Picture Perfect Painting	\$109,000.00
Durham, NC	
Feimster Painting	\$189,240.00
Athens, GA	
Melton Painting	\$189,240.00
Stratham, GA	

\*Awarded based on: \_\_\_\_\_ Low Bid    ☒ Other (See Comments)

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Carrington Painting & Contracting, Inc. of Durham, North Carolina to determine compliance with the Minority and Women Business Enterprises Ordinance.

M/WBE bids were not competitive.

The workforce statistics for Carrington Painting & Contracting, Inc. are as follows:

	2000	
Total Workforce	8	
Total # of Females	2	25%
Total # of Males	6	75%
Total # of Black Males	0	0%
Total # of White Males	1	13%
Total # of Other Males	5	63%
Total # of Black Females	0	0%
Total # of White Females	2	25%

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Total # of Other Females                      0                      0%

Performance Bond: \_\_\_\_\_ Waived \_\_\_\_\_ Not Waived **X** Not Required

**5. Bid: Semi-Automatic External Defibrillators**

Purpose of Bid: To provide the Fire Department with seven heart defibrillators.

Comments:

Opened: October 18, 2000

Bidders:	Southeastern Emergency Equipment *	\$15,365.00
	Wake Forest, N.C.	
	Laerdal Medical Corp.	\$24,647.70
	Wappingers Falls, N.Y.	

\*Awarded based on: **X** Low Bid \_\_\_\_\_ Other (See Comments)

**WORKFORCE STATISTICS**  
**CORPORATION STATISTICS**

Total Workforce	18		# Black Males	0	0%
Total # Females	15	83.3%	# White Males	3	100%
Total # Males	3	16.7%	# Other Males	0	0%
			# Black Females	2	13%
			# White Females	13	87%
			# Other Females	0	0%

Performance Bond: \_\_\_\_\_ Waived \_\_\_\_\_ Not Waived **X** Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**6. Bid: Three Used Sport Utility Vehicles**

Purpose of Bid: To provide the Police Department with Sport Utility Vehicles

Comments: Three 2000 Ford Explorer XLT 4x4's at \$20,580.00 each

Opened: October 2, 2000

Bidders:	University Ford, Inc.	*	\$61,740.00
	Durham, NC		
	Hertz Car Sales		\$64,785.00
	Raleigh, NC		

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\*Awarded based on: ☒ Low Bid    ☐ Other (See Comments)

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by University Ford, Inc., of Durham, North Carolina to determine compliance with the Minority and Women Business Enterprises Ordinance.

There are no M/WBE firms in the databank to provide this product.

The workforce statistics for University Ford, Inc., are as follows:

	1999	2000			
Total Workforce	135			136	
Total Females	25	19%	Total Females	19	14%
Total Males	110	81%	Total Males	117	86%
Black Males	29	21%	Black Males	23	17%
White Males	81	60%	White Males	91	67%
Other Males	0	0%	Other Males	3	2%
Black Females	4	3%	Black Females	3	2%
White Females	21	16%	White Females	16	12%
Other Females	0	0%	Other Females	0	0%

Performance Bond:    ☒ Waived                      ☐ Not Waived    ☐ Not Required

**7.      Bid:                      Installation of Brintons Carpet - 2,650 feet**

Purpose of Bid:              To install Brintons Carpet at the Durham Marriott Hotel/Civic Center

Comments:

Opened:                      October 26, 2000

Bidders:	Proctor Flooring	*\$14,427.00
	Durham, NC	
	Bull City Rug	\$14,875.00
	Durham, NC	
	Carpet One	\$16,117.00
	Durham, NC	

\*Awarded based on: ☒ Low Bid    ☐ Other (See Comments)

**WORKFORCE STATISTICS**  
**CORPORATION STATISTICS**

Total Workforce	20		# Black Males	2	10%
Total # Females	3	15%	# White Males	10	50%
Total # Males	17	85%	# Other Males	5	25%

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# Black Females	0	0%
# White Females	3	15%
# Other Females	0	0%

Performance Bond: \_\_\_\_\_ Waived \_\_\_\_\_ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**8. Bid: Emergency Vehicle Warning System Lights**

Purpose of Bid: To provide the Police Department with Emergency Vehicle Warning System Lights for their patrol vehicles.

Comments: Bids were solicited from several bidders and only one response was received.

Opened: October 6, 2000

Bidders: Southern Public Safety \* \$11,189.29  
Greensboro, NC

\*Awarded based on: \_\_\_\_\_ Low Bid ☒ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

Total Workforce	13		# Black Males	0	0%
Total # Females	4	30.77%	# White Males	9	69.23%
Total # Males	9	69.23%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	4	30.77%
			# Other Females	0	0%

Performance Bond: \_\_\_\_\_ Waived \_\_\_\_\_ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**9. Bid: Estimated Annual Requirements for Repair Clamps**

Purpose of Bid: To provide Public Works/Water & Sewer Maintenance with their annual requirements for repair clamps.

Comments: Public Works/Water & Sewer Maintenance Division chose the alternate bid due to the cost savings.

Opened: September 5, 2000

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Bidders:	Miller Supply Company	BASE BID/12 mos	\$ 15,023.50
	Laurinburg, NC	ALTERNATE/24 mos	*\$ 30,047.00
	TEC Utilities	BASE BID/12 mos	\$ 19,690.68
	Garner, NC	ALTERNATE/24 mos	\$ 39,381.36

\*Awarded based on: ☒ Low Bid    ☐ Other (See Comments)

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Miller Supply Company of Laurinburg, NC to determine compliance with the Minority and Women Business Enterprises Ordinance.

M/WBE bids were not competitive.

The workforce statistics for Miller Supply Company are as follows:

	2000	
Total Workforce	10	
Total # of Females	1	10%
Total # of Males	9	90%
Total # of Black Males	1	10%
Total # of White Males	8	80%
Total # of Other Males	0	0%
Total # of Black Females	0	0%
Total # of White Females	1	10%
Total # of Other Females	0	0%

Performance Bond: ☐ Waived    ☐ Not Waived    ☒ Not Required

**10.    Bid:            Hitachi Chains and Sprockets**

Purpose of Bid:

Comments:    These chains and sprockets are used to repair the primary water tank at the South Durham WRF. This is a sole source item.

Opened:        October 23, 2000

Bidders:	Hitachi/Carotek Inc.	*\$10,600.00
	Matthews, NC	

\*Awarded based on: ☐ Low Bid    ☒ Other (See Comments)

WORKFORCE STATISTICS  
CORPORATION STATISTICS

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Total Workforce	163		# Black Males	0	0%
Total # Females	42	25.08%	# White Males	116	71.2%
Total # Males	121	74.02%	# Other Males	5	30.0%
			# Black Females	0	0%
			# White Females	42	25.8%
			# Other Females	0	0%

Performance Bond: \_\_\_\_\_ Waived \_\_\_\_\_ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**11. Bid: Police Winter Uniform Jackets**

Purpose of Bid: To provide the Police Department with 74 Winter Uniform Jackets

Comments: The bid award complies with the City's Anti-Sweatshop Ordinance.

Opened: October 10, 2000

Bidders:	Showfety's, Inc.	*	\$16,058.00
	Greensboro, NC		
	Wright-Johnston Uniforms		\$21,090.00
	Columbia, SC		
	Blauer Mfg., Co.		\$21,830.00
	Boston, MA		

\*Awarded based on: ☒ Low Bid \_\_\_\_\_ Other (See Comments)

**WORKFORCE STATISTICS**  
**CORPORATION STATISTICS**

Total Workforce	5		# Black Males	1	20%
Total # Females	2	40%	# White Males	1	20%
Total # Males	3	60%	# Other Males	0	0%
			# Black Females	2	40%
			# White Females	1	20%
			# Other Females	0	0%

Performance Bond: \_\_\_\_\_ Waived \_\_\_\_\_ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**12. Bid: Autocashier Units**

Purpose of Bid: To purchase and install Autocashier units for the City's parking system. The autocashier units are a form of Automated Toll Booth. The use of the autocashier units offers the opportunity to collect revenue that is not

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being currently collected.

Comments: Bids were solicited from several vendors and only one response was received. Southern Time Equipment is the sole regional source for the Hamilton Brand of Autocashier units, which are compatible with the City's existing parking control equipment.

Opened: October 16, 2000

Bidders: Southern Time Equipment \* \$82,107.48  
Wilson, NC

\*Awarded based on: \_\_\_\_\_ Low Bid ☒ Other (See Comments)

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Southern Time Equipment of Wilson, NC to determine compliance with the Minority and Women Business Enterprises Ordinance.

There are no M/WBE firms available to provide this product.

The workforce statistics for Southern Time Equipment are as follows:

Total Workforce	16	
Total # of Females	2	12%
Total # of Males	14	88%
Total # of Black Males	0	0%
Total # of White Males	14	88%
Total # of Other Males	0	0%
Total # of Black Females	0	0%
Total # of White Females	2	12%
Total # of Other Females	0	0%

Performance Bond: ☒ Waived \_\_\_\_\_ Not Waived \_\_\_\_\_ Not Required

**13. Bid: Motorola Portable Radios**

Purpose of Bid: To provide the Police Department with twenty portable radios

Comments: Motorola, Inc. is the sole source for Motorola radios compatible with the City's 800 MHz radio system.

Opened: October 30, 2000

Bidders: Motorola, Inc. \* \$56,480.00  
Durham, NC

\*Awarded based on: \_\_\_\_\_ Low Bid ☒ Other (See Comments)

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The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Motorola Inc., of Durham, NC to determine compliance with the Minority and Women Business Enterprises Ordinance.

There are no M/WBE firms available to provide this product.

The workforce statistics for Motorola, Inc. are as follows:

Total Workforce	397	
Total # of Females	71	18%
Total # of Males	326	82%
Total # of Black Males	34	9%
Total # of White Males	268	68%
Total # of Other Males	24	6%
Total # of Black Females	13	3%
Total # of White Females	46	12%
Total # of Other Females	10	3%

Performance Bond:     X Waived                   \_\_\_\_\_ Not Waived     \_\_\_\_\_ Not Required

Sufficient funds were available at the time of the award. The Administration recommends acceptance of the above bids denoted by an asterisk (\*).

JWC:lm

**SUBJECT:   BIDS   -   TWO   4   X   4   BACKHOES   -   BRIGGS   CONSTRUCTION  
             EQUIPMENT, INC.**

a.    Bids - Two 4 x 4 Backhoes

**MOTION** by Council Member Larson seconded by Council Member Jacobs to accept the bid from Briggs Construction Equipment, Inc., in the amount of \$134,174 for providing the City with two 4 x 4 backhoes; and

To waive the requirement for a Performance Bond; and

To authorize the City Manager to enter into a contract with Briggs Construction Equipment, Inc. in the amount of \$134,174 for providing the City with two 4 x 4 backhoes; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and are consistent with the general intent of the existing version of the contract was approved at 7:47 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards,



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Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff.  
Noes: None. Absent: None.

**SUBJECT: BIDS - PARABOLIC DITCHING VEHICLE - FORD MANUFACTURING,  
INC. - PARABOLIC DITCHING VEHICLE**

b. Bids - Parabolic Ditching Vehicle

**MOTION** by Council Member Larson seconded by Council Member Jacobs to accept the bid from Ford Manufacturing, Inc. in the amount of \$193,655 for providing the City with a parabolic ditching vehicle; and

To authorize the City Manager to enter into a contract with Ford Manufacturing, Inc. in the amount of \$193,655 for providing the City with a parabolic ditching vehicle; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and are consistent with the general intent of the existing version of the contract was approved at 7:47 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**SUBJECT: ADDITIONAL PURCHASES OFF CONTRACT NO. 7-010-00,  
AUTOMATED SIDE LOADING REFUSE COLLECTION VEHICLES -  
CAROLINA ENVIRONMENTAL SYSTEMS, INC.**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to enter into a contract with Carolina Environmental Systems, Inc. in the amount of \$325,512 for providing the City with two additional automated side loading refuse collection vehicles; and

To waive the requirement for a Performance Bond; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and are consistent with the general intent of the existing version of the contract was approved at 7:47 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**[GENERAL BUSINESS AGENDA]**

**[PUBLIC HEARINGS]**

**SUBJECT: CURB, GUTTER AND PAVING - OAKMONT AVENUE FROM N.C.**

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**HIGHWAY 55 AROUND LOOP TO N.C. HIGHWAY 55 (MINI ASSESSMENT ROLL) - CHARLES AND BETTY BLACKMON - MARTHA V. THORPE**

**a. Property of Charles and Betty Blackmon**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Larson seconded by Council Member Jacobs to find that the property of Charles and Betty Blackmon, identified as Tax Map #555-6-4A, 136 Oakmont Avenue, Lot 29, has benefited from the improvements and to confirm the assessment in the amount of \$2,400.00 was approved at 7:47 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**b. Property of Martha V. Thorpe**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Larson seconded by Council Member Jacobs to reconsider the assessments for curb, gutter and paving improvements against certain properties, identified below, of Martha V. Thorpe; and

To find that the property of Martha V. Thorpe, identified as Tax Map #555-6-5A, 160 Oakmont Avenue, Lot 32, has benefited from the improvements and to confirm the assessment in the amount of \$1,333.40 (partial relief granted in accordance with City policy); and

To find that the property of Martha V. Thorpe, identified as Tax Map #555-6-5B, 164 Oakmont Avenue, Lot 33, has benefited from the improvements and to confirm the assessment in the amount of \$2,000.00 was approved at 7:47 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**SUBJECT: WATER AND SEWER LATERALS - OAKMONT AVENUE FROM N.C. HIGHWAY 55 AROUND LOOP TO N.C. HIGHWAY 55 (MINI ASSESSMENT ROLL) - MARTHA V. THORPE - 160 OAKMONT AVENUE**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no

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objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Larson seconded by Council Member Jacobs to find that the property of Martha V. Thorpe, identified as Tax Map #555-6-5A, 160 Oakmont Avenue, Lot 32, has not benefited from the water and sewer laterals and to relieve the water lateral assessment in the amount of \$350.00 and the sewer lateral assessment in the amount of \$630.00 (in accordance with City policy) was approved at 7:47 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**SUBJECT: WATER MAIN - DEBRA DRIVE FROM NORTH PROPERTY LINE OF TAX MAP 718-3-8 TO CARPENTER ROAD (MINI ASSESSMENT ROLL) - FLETCHER KING**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Larson seconded by Council Member Jacobs to reconsider the water main assessment against certain property, identified below, of Fletcher King; and

To find that the property of Fletcher King, identified as Tax Map #718-1-13, Debra Drive, Vacant Lot 19, has not benefited at this time from the water main improvement and to relieve the assessment in the amount of \$8,467.78 with the provision that a future frontage charge will be due and payable at the prevailing rate should the property receive water service (in accordance with City policy) was approved at 7:48 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**SUBJECT: SEWER MAIN - ONELUSKA DRIVE FROM SHOCOREE DRIVE TO END OF 60 FOOT RIGHT OF WAY - ENABLING ACT AUTHORITY**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Larson seconded by Council Member Jacobs to adopt a resolution ordering sewer main on Oneluska Drive from Shocoree Drive to end of 60 foot right of way under the Enabling Act Authority was approved at 7:48 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent:

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None.

**SUBJECT: SEWER MAIN - SOUTH MIAMI BOULEVARD FROM NORTH PROPERTY LINE OF TAX MAP #577A-1-16 TO BRASSFIELD ROAD**

To adopt a resolution ordering sewer main improvements on **South Miami Boulevard** from north property Line of Tax Map #577A-1-16 to Brassfield Road.

**MOTION** by Council Member Larson seconded by Council Member Jacobs to continue the public hearing until the January 16, 2001 City Council Meeting was approved at 7:49 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**SUBJECT: SEWER MAIN - STADIUM DRIVE FROM ASHLEY STREET TO THE EAST PROPERTY LINE OF TAX MAP #296-4-12**

To adopt a resolution ordering sewer main improvements on Stadium Drive from Ashley Street to the east property line of Tax Map #296-4-12.

**MOTION** by Council Member Larson seconded by Mayor Pro Tempore Clement to continue the public hearing until the January 16, 2001 City Council Meeting was approved at 7:49 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**SUBJECT: VOLUNTARY ANNEXATION PETITION SUBMITTED PRIOR TO JULY 1, 2000 - TRIAD ANNEXATION/SHERRON ROAD (2001-05)**

**a. Annexation**

Ruffin Hall, of Budget Office, informed Council that the applicant requested deferral until January 16, 2001 City Council Meeting; however, staff recommends deferral until the meeting of February 5, 2001.

To receive citizens' comments concerning annexation of Triad Annexation/Sherron Road, approximately 712 acres non-contiguous to the City limits, located on or off the southeast side of Sherron Road between the intersections with U.S. 70 and with Holder Road.

To adopt "An Ordinance Annexing to the City of Durham an Area Hereinafter Described and Which is Not Contiguous to the Present Corporate Boundary of the City of Durham, under the Provisions of NCGS 160A-58 Et. Seq. (Triad Annexation/Sherron Road)."

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**MOTION** by Council Member Larson seconded by Mayor Pro Tempore Clement to defer this item until the February 5, 2001 City Council Meeting with further advertising was approved at 7:50 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**b. Supplemental Fire Protection Services**

To authorize the City Manager to execute an amendment to modify the existing half-base contract with Bethesda Volunteer Fire Department to provide supplemental fire protection for the Triad Annexation/Sherron Road area over a five-year period with the same terms and conditions as services are provided to other areas in such contracts.

**MOTION** by Council Member Larson seconded by Mayor Pro Tempore Clement to defer this item until the February 5, 2001 City Council Meeting was approved at 7:50 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**SUBJECT: VOLUNTARY ANNEXATION PETITION SUBMITTED PRIOR TO OCTOBER 1, 2000 - ALSTON VILLAGE (2001-01)**

**a. Alston Village (2001-01)**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Larson seconded by Council Member Jacobs to receive citizens' comments concerning annexation of Alston Village, approximately 41.48 acres contiguous to the City Limits, located at the intersection of Alston Avenue and Alexander Drive; and

To adopt "An Ordinance Annexing to the City of Durham an Area Hereinafter Described and Which Abuts Directly on the Present Corporate Boundary of the City of Durham, under the Provisions of NCGS 160A-31 Et. Seq. (Alston Village)" was approved at 7:50 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**Ordinance #12137**

**SUBJECT: VOLUNTARY ANNEXATION PETITION SUBMITTED PRIOR TO OCTOBER 1, 2000 - GANYARD FARMS (2001-02)**

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b. Ganyard Farms (2001-02)

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Larson seconded by Council Member Jacobs to receive citizens' comments concerning annexation of Ganyard Farm, 88.61 acres contiguous to the City Limits, located off the north side of Highway 98 and the east side of Lynn Road; and

To adopt "An Ordinance Annexing to the City of Durham an Area Hereinafter Described and Which Abuts Directly on the Present Corporate Boundary of the City of Durham, under the Provisions of NCGS 160A-31 Et. Seq. (Ganyard Farms)" was approved at 7:51 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**Ordinance #12138**

**SUBJECT: VOLUNTARY ANNEXATION PETITION SUBMITTED PRIOR TO OCTOBER 1, 2000 - TRIAD MARINE (2001-07)**

c. Triad Marine (2001-07)

**1) Annexation**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Larson seconded by Council Member Jacobs to receive citizens' comments concerning annexation of 5.516 acres non-contiguous to the City Limits, located on the southwest corner of Page Road Extension and Highway 70; and

To adopt "An Ordinance Annexing to the City of Durham an Area Hereinafter Described and Which is Not Contiguous to the Present Corporate Boundary of the City of Durham, under the Provisions of NCGS 160A-58 Et. Seq. (Triad Marine)" was approved at 7:51 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**Ordinance #12139**

**2) Supplemental Fire Protection Services**

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**MOTION** by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to execute an amendment to modify the existing half-base contract with Bethesda Volunteer Fire Department to provide supplemental fire protection for the Triad Marine area over a five-year period with the same terms and conditions as services are provided to other areas in such contracts was approved at 7:51 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**SUBJECT: VOLUNTARY ANNEXATION PETITION SUBMITTED PRIOR TO OCTOBER 1, 2000 - KEYSTONE PARK (2001-08)**

d. Keystone Park (2001-08)

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Larson seconded by Council Member Jacobs to receive citizens' comments concerning annexation of Keystone Park, 71.7 acres contiguous to the City Limits, located southeast of Durham near Davis Drive; and

To adopt "An Ordinance Annexing to the City of Durham an Area Hereinafter Described and Which Abuts Directly on the Present Corporate Boundary of the City of Durham, under the Provisions of NCGS 160A-31 Et. Seq. (Keystone Park)" was approved at 7:51 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**Ordinance #12140**

**SUBJECT: VOLUNTARY ANNEXATION PETITION SUBMITTED PRIOR TO OCTOBER 1, 2000 - GUESS ROAD SUBDIVISION (2001-09)**

e. Guess Road Subdivision (2001-09)

Ruffin Hall, of Budget Office, noted that the applicant requested a deferral and staff recommended deferring this item until February 5, 2001 City Council Meeting.

To receive citizens' comments concerning annexation of Guess Road Subdivision, 52.48 acres contiguous to the City Limits, located on the east side of Guess Road north of Dover Ridge Subdivision.

To adopt "An Ordinance Annexing to the City of Durham an Area Hereinafter Described and Which Abuts Directly on the Present

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Corporate Boundary of the City of Durham, under the Provisions of NCGS 160A-31 Et. Seq. (Guess Road Subdivision)."

**MOTION** by Council Member Larson seconded by Council Member Jacobs to defer this item until the February 5, 2001 City Council Meeting was approved at 7:53 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**SUBJECT: VOLUNTARY ANNEXATION PETITION SUBMITTED PRIOR TO OCTOBER 1, 2000 - GEER STREET SUBDIVISION (2001-10)**

f. Geer Street Subdivision (2001-10)

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Larson seconded by Council Member Jacobs to receive citizens' comments concerning annexation of Geer Street Subdivision, 128.195 acres contiguous to the City Limits, located on both sides of East Geer Street in the Oak Grove Township area of Durham County; and

To adopt "An Ordinance Annexing to the City of Durham an Area Hereinafter Described and Which Abuts Directly on the Present Corporate Boundary of the City of Durham, under the Provisions of NCGS 160A-31 Et. Seq. (Geer Street Subdivision)" was approved at 7:53 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**Ordinance #12141**

**SUBJECT: VOLUNTARY ANNEXATION PETITION SUBMITTED PRIOR TO OCTOBER 1, 2000 - OAK GROVE ANIMAL HOSPITAL (2001-11)**

g. Oak Grove Animal Hospital (2001-11)

**1) Annexation**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Larson seconded by Council Member Jacobs to receive citizens' comments concerning annexation of Oak Grove Animal Hospital, 6.049 acres contiguous to the City Limits, located on the west side of Robbins Road just south of Highway 98;



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and

To adopt "An Ordinance Annexing to the City of Durham an Area Hereinafter Described and Which Abuts Directly on the Present Corporate Boundary of the City of Durham, under the Provisions of NCGS 160A-31 Et. Seq. (Oak Grove Animal Hospital)" was approved at 7:54 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**Ordinance #12142**

**2) Supplemental Fire Protection Services**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to execute an amendment to modify the existing half-base contract with Bethesda Volunteer Fire Department to provide supplemental fire protection for the Oak Grove area over a five-year period with the same terms and conditions as services are provided to other areas in such contracts was approved at 7:54 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**SUBJECT: VOLUNTARY ANNEXATION PETITION SUBMITTED PRIOR TO OCTOBER 1, 2000 - PARKGATE OFFICE (2001-14)**

h. Parkgate Office (2001-14)

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Larson seconded by Council Member Jacobs to receive citizens' comments concerning annexation of Parkgate Office, 1.73 acres non-contiguous to the City Limits, located on the western side of N.C. Highway 54 just south of Hopson Road; and

To adopt "An Ordinance Annexing to the City of Durham an Area Hereinafter Described and Which is Not Contiguous to the Present Corporate Boundary of the City of Durham, under the Provisions of NCGS 160A-58 Et. Seq. (Parkgate Office)" was approved at 7:54 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**Ordinance #12143**

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**SUBJECT: VOLUNTARY ANNEXATION PETITION SUBMITTED PRIOR TO  
OCTOBER 1, 2000 - PAGE POINTE CENTER (2001-15)**

i. Page Pointe Center (2001-15)

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**1) Annexation**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to receive citizens' comments concerning annexation of Page Point Center, 3.91 acres non-contiguous to the City Limits, located at the southeast quadrant of the intersection of Page Road Extension at Litho Way; and

To adopt "An Ordinance Annexing to the City of Durham an Area Hereinafter Described and Which is Not Contiguous to the Present Corporate Boundary of the City of Durham, under the Provisions of NCGS 160A-58 Et. Seq. (Page Pointe Center)" was approved at 7:55 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**Ordinance #12144**

**2) Supplemental Fire Protection Services**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to execute an amendment to modify the existing half-base contract with Bethesda Volunteer Fire Department to provide supplemental fire protection for the Page Pointe Center area over a five-year period with the same terms and conditions as services are provided to other areas in such contracts was approved at 7:55 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**SUBJECT: ZONING CASE: P00-41 - LODGE AMERICA/ANDREW SHIPP - 8.763  
ACRES AT 7906 NC 751 HIGHWAY--ON THE WEST SIDE OF THE  
HIGHWAY, APPROXIMATELY 700 FEET SOUTH OF NC 751/I-40  
INTERCHANGE**

Case: P00-41

Applicant: Lodge America/Andrew Shipp

Location: 8.763 acres at 7906 NC 751 Highway--on the west side of the highway, approximately 700 feet south of NC 751/I-40 interchange

Request: Rezoning from RD (Rural District) to OI-2(D) (General

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Office and Institutional District with a Development Plan) and NC(D) (Neighborhood Commercial District with a Development Plan); F/J-B and MTC

Zoning Committee's Recommendation and Vote: Approval (7-0)

Planning Department's Recommendation: Approval

To adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of RD and placing same in and establishing same as OI-2(D) and NC(D); F/J-B and MTC.

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

Jack Markham, representing the applicant, requested that this item be continued until the March 19, 2001 City Council Meeting.

**MOTION** by Council Member Larson seconded by Mayor Pro Tempore Clement to continue the public hearing until the March 19, 2001 City Council Meeting without further advertising was approved at 7:56 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**SUBJECT: ZONING CASE: P00-64 - CASWYCK-HVF, LLC - 15.94 ACRES  
SOUTHEAST OF THE INTERSECTION OF ROXBORO STREET AND THE  
MARTIN LUTHER KING, JR. PARKWAY**

Case: P00-64

Applicant: Caswyck-HVF, LLC

Location: 15.94 acres southeast of the intersection of Roxboro Street and the Martin Luther King, Jr. Parkway

Request: Rezoning from SC(D) (Shopping Center District with a Development Plan) to PDR-7.78 (Planned Density Residential District with maximum density of 7.78 units per acre)

Zoning Committee's Recommendation and Vote: Approval (7-0)

Planning Department's Recommendation: Approval

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

### **Proponent**

Jim Hedrick, representing the applicant, spoke in support of the rezoning. He gave an overview of the mixed-used development proposed and noted uses are consistent with the South Durham and 2020 plans for the area.

No one spoke in opposition to the request.

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Mayor Tennyson declared the public hearing closed.

Council Member Blyth asked staff about the impact this rezoning would have on the schools.

Dick Hails, of City/County Planning Department, gave an overview of the staff report highlighting the 20<sup>th</sup> day enrollment, projected growth and building capacity. Also, he noted that there were no objections received from the school board.

Council Member McKissick asked the applicant if the sketches/drawings are a part of the development plan.

Jim Hedrick, representing the applicant, replied yes.

Council held discussion on the creek/stream buffer.

**MOTION** by Council Member Larson seconded by Mayor Pro Tempore Clement to adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of SC(D) and placing same in and establishing same as PDR-7.78 was approved at 8:08 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**SUBJECT: ZONING CASE: P00-66 - VALUE STORAGE LTD - 1 ACRE LOCATED AT 5311 NC HIGHWAY 55**

Case: P00-66

Applicant: Value Storage LTD

Location: 1 acre located at 5311 NC Highway 55

Request: Rezoning from NC (Neighborhood Commercial District) to CT(D) (Commercial Trades District with a Development Plan); F/J-B

To adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of NC and placing same in and establishing same as CT(D); F/J-B.

Zoning Committee's Recommendation and Vote: Approval (7-0)

Planning Department's Recommendation: Approval

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

### **Proponent**

Ron Horvath, representing the applicant, spoke in support of the rezoning noting that it reduces traffic, has no impact on schools and no demand on water and sewer. Also, he noted due to visual

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concerns, the applicant will upgrade landscaping by the fence along Hwy 55.

No spoke in opposition to the rezoning.

Mayor Tennyson declared the public hearing closed.

A motion was made by Council Member Larson seconded by Mayor Pro Tempore Clement to approve the item as printed on the agenda.

Council Member McKissick asked the applicant what visual enhancements would be made.

Ron Horvath, representing the applicant, discussed the length of shrubs, evergreens and the use of a vinyl coating on the new section of the fence.

Council Member Blyth expressed concern about certain uses under the CT proposed zoning and asked the applicant to exclude the following uses: boat sales, travel trailer sales, freight terminals, heavy equipment sales, retail fabrication businesses, vehicle repair shops and outdoor storage.

Council Member Blyth asked staff if there were additional uses associated with the CT zoning that are not listed in the staff report.

Dick Hails, of the City/County Planning Department, replied yes.

Council Member Blyth requested that this item be deferred until the January 16, 2001 City Council Meeting and asked staff to bring back a list of all the uses in the CT zone. Also, she expressed concern about the need to revisit zoning classifications and asked staff to bring this item to Council.

Council Member McKissick asked Ron Horvath if the deferral would have an impact on the applicant.

Ron Horvath, representing the applicant, replied that the deferral until the January 16, 2001 City Council Meeting would be fine.

**SUBSTITUTE MOTION** by Council Member Blyth seconded by Council Member Edwards to defer this rezoning until the January 16, 2001 City Council Meeting without further advertising was approved at 8:20 p.m. by the following vote: Ayes: Mayor Tennyson and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Wagstaff. Noes: Mayor Pro Tempore Clement and Council Member Stith. Absent: None.

**SUBJECT: ZONING CASE: P00-73 - CITY OF DURHAM - 8.530 ACRES ON THE SOUTH SIDE OF ANGIER AVENUE, WEST OF MIAMI BOULEVARD**

Case: P00-73

Initiated by: City of Durham

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Location: 8.530 Acres on the South side of Angier Avenue, west of Miami Boulevard

Request: Initial zoning of property newly annexed into the City  
No change in zoning classification is proposed. Existing zoning is PDR 4.00

Zoning Committee's Recommendation and Vote: [To be provided after December 12, 2000 Zoning Committee Meeting]

Planning Department's Recommendation: Approval

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Larson seconded by Mayor Pro Tempore Clement to adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by establishing PDR 4.00 zoning for the above described property newly annexed into the City was approved at 8:21 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**[OTHER MATTERS]**

**SUBJECT: RALEIGH-DURHAM AIRPORT AUTHORITY - RECEIPT AND ACCEPTANCE OF APPLICATION**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to receive and accept an application to fill one vacancy on the Raleigh-Durham Airport Authority for a term to expire January 1, 2003; and

To **re-appoint Kenneth D. Gibbs, Sr.** to the Raleigh-Durham Airport Authority for a term to expire January 1, 2003 was approved at 8:21 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Abstention: Council Member Cheek. Absent: None.

**NOTE: Council Member Cheek abstained on this item because he handles litigation for the Raleigh/Durham Airport Authority.**

**SUBJECT: CITYWIDE DOMESTIC VIOLENCE UNIT GRANTS TO ENCOURAGE ARRESTS AWARD FISCAL YEAR 2000-2001 - THE U.S. DEPARTMENT OF JUSTICE VIOLENCE AGAINST WOMEN GRANTS OFFICE**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to accept an award from the U.S. Department of Justice Violence Against Women Grants Office in the amount of \$383,102 to be used

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to continue policies, programs and initiative to enhance agency and community response to domestic violence; and

To adopt the "City of Durham North Carolina and the U.S. Department of Justice, Office of Violence Against Women, 'Grants to Encourage Arrest Policies' Grant Project Ordinance" was approved at 8:22 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**Ordinance #12145**

**SUBJECT: AMENDMENT TO THE UNDERWOOD SQUARE APARTMENTS HOME LOAN AGREEMENT AND RELATED DOCUMENTS - UW, LLC**

**MOTION** by Council Member Larson seconded by Mayor Pro Tempore Clement to approve an allocation of up to \$25,000 in Community Development Block Grant (CDBG) funds as a forgivable loan to UW, LLC to be used to complete the necessary handicap up fits for the Underwood Square Apartments project; and

To authorize the City Manager to execute an Amendment to the existing Loan Agreement and related documents (dated November 23, 1999) to incorporate the above CDBG funding allocation, increase the total loan amount up to \$630,000 and extend the construction maturity date for the Underwood Square Apartments project from November 23, 2000 to March 23, 2001 to allow sufficient time to complete the project; and

To authorize the City Manager to modify the Loan Agreement before execution provided the modifications do not increase the dollar amount of the Loan Agreement and are consistent with the general intent of the version of the Loan Agreement approved by the City Council was approved at 8:22 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

**SUBJECT: MODIFICATION OF THE NORTH BUCHANAN BOULEVARD APARTMENT PROJECT - 1996 HOUSING BOND FUNDS - CITY OF DURHAM AND AIDS COMMUNITY RESIDENCE ASSOCIATION, INC. (ACRA)**

**MOTION** by Council Member Larson seconded by Mayor Pro Tempore Clement to authorize the City Manager to execute an amendment to the Loan Agreement executed January 24, 2000 or thereafter, between the City of Durham and AIDS Community Residence Association, Inc. (ACRA) for the North Buchanan Boulevard project was approved at 8:23 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

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**SUBJECT: DISPARITY STUDY FINDINGS - MASON TILLMAN**

Dr. Eleanor Ramsey, of Mason Tillman, gave a presentation on the City of Durham Disparity Study Findings. She summarized the Study outlining the objectives, Croson Standard, parameters [industries, construction, professional services and purchasing], prime contractor and subcontractor utilization, dollars lost, contract awards by location, anecdotal findings and recommended best management practices [race conscious remedies, race neutral remedies, i.e., contracting procedures, tracking & reporting and administration and staff.

Council Member Langley stated that the Disparity Study Findings would be referred to the M/WBE Council Subcommittee.

Council Member Burnette asked about the availability of the full report.

Assistant City Manager Greg Bethea informed Council that they would receive a detailed report of the study.

Council Member Hill asked Dr. Ramsey how many companies had gone through the process of being certified and the percentage of work they had been awarded.

Dr. Ramsey noted that this was not studied as a separate item but could be done.

Council Member Hill requested a report on the certified companies utilized.

Council Member Hill asked about the two different standards for gender and race.

Attorney Edward Norton gave an overview of the standards.

Council Member McKissick asked Dr. Ramsey if her continuing work would be to assist in the implementation program that could be used to re-work the City's ordinance.

Dr. Ramsey replied that's not within the scope; however, it is a strategy that clients have asked them to engage in.

Council Member McKissick asked the administration to give some consideration to the second phase.

Council Member Blyth made comments about smaller contracts and asked Dr. Ramsey if she had any information on how municipalities have done in the past, managed to keep quality high and cost competitive.

Dr. Ramsey gave an overview of the study, "Small Vendors, Smaller Contracts", prepared by McDonald Douglas and commented on the City's change orders.



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Council Member Blyth requested Dr. Ramsey to provide information on research or articles relating to this matter.

Council Member Blyth asked Dr. Ramsey if there was a list of companies in the report outlining whom the City does business with repeatedly and what kind of businesses are going out of the county and state.

Dr. Ramsey noted that information was not in the report. She noted that a high roller analysis outlining the top 25 companies that received a majority of the dollars and another analysis on the number of contracts received could be done.

Council Member Blyth asked Dr. Ramsey if this could be done within the current scope or would there be an additional cost.

Dr. Ramsey noted there would be a cost for the additional analysis.

Council Member Blyth requested from Dr. Ramsey the basic information relating to this issue.

Mayor Pro Tempore Clement expressed concern that there wasn't an executive summary drawing a conclusion based on the City's conduct regarding the disparity.

**[EXCUSE COUNCIL MEMBER STITH]**

**MOTION** by Mayor Pro Tempore Clement seconded Council Member Larson to excuse Council Member Stith from the City Council Meeting was approved at 9:19 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: None.

Council held discussion on the survey of anecdotal findings relating to the City process, method used by Mason Tillman to determine disparity exists, certification process, Durham's program, waiving bond for contracts in the amount of \$50,000, change orders, strategies to decrease disparity, large contracts and Hispanic contractors.

**MOTION** by Council Member Larson seconded by Council Member Jacobs to receive a report from Mason Tillman concerning the Disparity Study; and

To adopt an "Ordinance Extending the Sunset Period for the Ordinance to Promote City Contracting with Minority and Women Business Enterprises" through December 31, 2001 was approved at 9:23 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Wagstaff. Noes: None. Absent: None. Excused Absence: Council Member Stith.

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**Ordinance #12146**

**SUBJECT: AUTHORIZED SIGNATURES FOR DEPOSITORIES**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to adopt a "Resolution Designating Signatures of Individuals to be Honored by Depositories of the City of Durham" was approved at 9:23 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Wagstaff. Noes: None. Absent: None. Excused Absence: Council Member Stith.

**Resolution #8721**

**SUBJECT: SEWER BACK-UP CLAIM - 711 BELL MEADE DRIVE**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to pay a sewer back-up claim in the amount of \$6,170.50 for damages incurred at 711 Bell Meade Drive was approved at 9:23 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Wagstaff. Noes: None. Absent: None. Excused Absence: Council Member Stith.

**SUBJECT: 1996 GENERAL OBLIGATION BOND UPDATE**

Assistant City Manager Bethea gave Council an update on the Weaver Street Center noting that repairs would not be complete until the middle of January 2001.

**MOTION** by Council Member Larson seconded by Council Member Wagstaff to receive a report from the Administration, "1996 General Obligation Bond Update" was approved at 9:24 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Wagstaff. Noes: None. Absent: None. Excused Absence: Council Member Stith.

There being no further business to come before the City Council, the meeting was adjourned at 9:24 p.m.

D. Ann Gray, CMC  
City Clerk

Linda E. Bratcher  
Deputy City Clerk